km. 243/200 (Tindivanam-Villupuram-Trichy Section) in Tamil Nadu, along with delay statement.

(6) S.O. 680(E) dated the 11th June, 2004, amending S.O. 1096 (E) dated the 24th September, 2003, by inserting certain entries in the original Notification, along with delay statement.

(7) S.O. 702(E) dated the 18th June, 2004, regarding acquisition of land for maintenance, management or operation (widening) of National Highway No. 2 in the stretch between Sikandara and Bhaunti from km. 393.00 to km. 470.00 (Delhi-Kanpur Section), in Kanpur Nagar and Kanpur Dehat District in Uttar Pradesh, along with delay statement.

(8) S.O. 761(E) dated the 2nd July, 2004, amending S.O. 1119 (E) dated the 29th September, 2003, by substituting certain entries in the original Notification, along with delay statement.

(9) S.O. 762(E) dated the 2nd July, 2004, amending S.O. 1120 (E) dated the 29th September, 2003, by substituting certain entries in the original Notification, along with delay statement.

(10) S.O. 763(E) dated the 2nd July, 2004, amending S.O. 1121 (E) dated the 29th September, 2003, by substituting certain entries in the original Notification, along with delay statement.

(11) S.O. 157(E) dated the 3rd February, 2005, regarding levy of fees from the users of four-laned stretches of National Highway No. 45 from km. 28.00 to Km. 74.50 and from km. 74.50 to km. 121.00 in Tamil Nadu.

(12) S.O. 158(E) dated the 3rd February, 2005, regarding levy of fees from the users of the Cable Stayed Bridge across river Yamuna at Allahabad/ Naini, from km. 0.000 (km. 211.700 at NH-2) to km. 5.410 (new alignment of NH-27) (Allahabad-Managawan) of National Highway No. 27 in Uttar Pradesh.

(13) S.O. 180(E) dated the 9th February, 2005, regarding levying of fees from the users of four-laned stretch from km. 306.00 to km. 362.16 of the National Highway No. 8A in Gujarat. [Placed in Library. for (1) to (13) *See* No. L.T. 1609/05]

MATTER RAISED WITH PERMISSION

Recent Ruling by the Supreme Court which Allegedly Affected the Functioning of the Legislature of a State

SHRI NILOTPAL BASU (West Bengal): Sir, with your ...(*Interruptions*)...

डा॰ कुमकुम राय (बिहार): उपसभापति जी, मैं एक बहुत ही महत्वपूर्ण विषय की ओर आपका ध्यान आकर्षित करना चाहती हूं। ...(व्यवधान)

श्री उपसभापतिः नहीं, प्लीज।

SHRI NILOTPAL BASU: Sir, with your permission, and, with a very heavy heart, through you, I would like to draw the attention of the House to a very serious, sensitive and delicate issue. This refers to the observation ...(*Interruptions*)...

SHRI BALBIR K. PUNJ (Uttar Pradesh): Deputy Chairman, Sir, this matter ...(*Interruptions*)...

MR. DEPUTY CHAIRMAN: Yes, he has given a notice ...(*Interruptions*)...

SHRI SANTOSH BAGRODIA (Rajasthan): Let him speak ...(*Interruptions*)...

MR. DEPUTY CHAIRMAN: Yes, he has mentioned it ...(*Interruptions*)... Please listen to him...

SHRI NILOTPAL BASU: Sir, this refers to the observation of the ...(*Interruptions*)...

MR. DEPUTY CHAIRMAN: Mr. Nilotpal Basu, I would request you to keep in view the restriction imposed under Article 121, and, you have to speak within that restriction.

SHRI NILOTPAL BASU: Sir, I have the most overwhelming respect towards other institutions that have been created by our great Constitution. I will talk about the judiciary ...(*Interruptions*)...

श्री उपसभापतिः आप बैठिए। ..(व्यवधान)... प्लीज, प्लीज, बैठिए। ..(व्यवधान)... देखिए, आप सुनिए, ..(व्यवधान)...

SHRI BALBIR K. PUNJ: Sir, this matter is not ...(*Interruptions*)... Sir, how is he allowed? ...(*Interruptions*)...

MR. DEPUTY CHAIRMAN: I have allowed him to mention ...(*Interruptions*)... ठीक है, आप बैठिए। ..(व्यवधान)... आप बैठिए।

SHRI NILOTPAL BASU: I have taken the permission of the Chair ...(*Interruptions*)...

MR. DEPUTY CHAIRMAN: He has sought the permission of the Chair ...(*Interruptions*)...

SHRI NILOTPAL BASU: Sir, I have given you a notice ...(*Interruptions*)...

श्रीमती सुषमा स्वराज (उत्तरांचल): सर, नियम यह कहते हैं कि जब मोशन आफ थैंक्स पर चर्चा चल रही हो तो बीच में और कोई चीज नहीं होगी, केवल अभिभाषण पर ही चर्चा चलेगी। ..(व्यवधान)... आप अभिभाषण पर चर्चा करवा रहे थे तो यह बीच में क्या चीज आ गई है?.. (व्यवधान)....

MR. DEPUTY CHAIRMAN: He has given a notice ...(*Interruptions*)... Let us listen to what he has to say ...(*Interruptions*)...

श्रीमती सुषमा स्वराज: सर, विपक्ष के नेता जब पूछने के लिए खड़े हुए थे, तो उन्हें पूछने नहीं दिया गया था। ...(व्यवधान)...

SHRI NILOTPAL BASU: Sir, there are ...(*Interruptions*)...

श्रीमती सुषमा स्वराज: सर, दो दिन पहले जब नेता विपक्ष खड़े हुए थे तो वे भी कह रहे थे, let me listen ...(व्यवधान)... लेकिन उसके बावजूद भी उनको बोलने नहीं दिया गया था। ...(व्यवधान)... उन्होंने कहा था, let me listen ...(*Interruptions*)...

SHRI NILOTPAL BASU: Sir, after the Question Hour, I have given you ...(*Interruptions*)...

प्रो॰ रामबख्श सिंह वर्मा (उत्तर प्रदेश) : नेता विपक्ष को पहले बोलने नहीं दिया गया था। ... (व्यवधान)...

MR. DEPUTY CHAIRMAN: I have permitted him to mention. Let him mention....(*Interruptions*)...Let us listen...(*Interruptions*)....

श्री उपसभापति: आप बैठिए....(व्यवधान)...सुनिए तो सही, प्लीज ...(व्यवधान)..

SHRI NILOTPAL BASU: This is not any aspersion...(*Interruptions*)...Tomorrow you may be requiring this opportunity which is available.....(*Interruptions*)...

SHRI BALBIR K. PUNJ : Mr. Chairman, Sir, this kind of ...(*Interruptions*)...

MR. DEPUTY CHAIRMAN : Mr. Nilotpal Basu, please ....*(Interruptions)*... Mr. Basu....*(Interruptions)*...

SHRI NILOTPAL BASU: Sir, my only point is that all the institutions under the Constitution, the Judiciary, the executive and the Legislature should have a mutual respect on the Constitutional powers each one has been given. Now, Sir, the observation of the Supreme Court...*(Interruptions)*...

MR. DEPUTY CHAIRMAN : That is sufficient ...*(Interruptions)*...

SHRI NILOTPAL BASU: No, Sir...*(Interruptions)*...

MR. DEPUTY CHAIRMAN : That is sufficient, Mr. Basu...*(Interruptions)*...

SHRI NILOTPAL BASU: Sir, the Supreme Court cannot direct the Legislature how to conduct the proceedings, and, Sir, therefore, I demand that the Government should have a...*(Interruptions)*...and protect the rights of the Legislature...*(Interruptions)*...

MR. DEPUTY CHAIRMAN : Mr. Nariman...*(Interruptions)*...that is sufficient...*(Interruptions)*...

SHRI NILOTPAL BASU: The Government should call an all-party meeting and hear the views of all the parties...*(Interruptions)*...

MR. DEPUTY CHAIRMAN : That is sufficient ...*(Interruptions)*...Mr. Nariman ...*(Interruptions)*... Mr. Nariman ...*(Interruptions)*...

SHRI FALI S. NARIMAN (Nominated) : Will my learned friends just permit me to say a word or two? Sir, today is an occasion—it does not matter what has happened or what has not happened—because I am a great supporter of judicial activism in this court as well as outside ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN : He has given me a letter ...*(Interruptions)*...

श्रीमती सुषमा स्वराज : नहीं सर...(व्यवधान)...कल टी.डी.पी. वालों ने भी लैटर दिया था ,...(व्यवधान)...

श्री उपसभापति: नहीं दिया ...(व्यवधान)...दीजिए न ,...(व्यवधान)...

श्रीमती सुषमा स्वराज : उपसभापति जी, मेरा प्वाइंट ऑफ ऑर्डर है ...(व्यवधान)...सर, मेरा प्वाइंट ऑफ ऑर्डर यह है ...(व्यवधान)...सर मेरा प्वाइंट ऑफ ऑर्डर है ...(व्यवधान)...

श्री उपसभापति: प्वाइंट ऑफ ऑर्डर बोलिए,...(**व्यवधान**)...

श्रीमती सुषमा स्वराज : मेरा प्वाइंट ऑफ ऑर्डर यह है ...(**व्यवधान**)...सदन के नियम कहते हैं कि कांफ्लिक्टिंग इंट्रस्ट वाला व्यक्ति नहीं बोल सकता, ...(**व्यवधान**)...फॉली नारीमन गोवा में लॉयर हैं दूसरी साइड के ...(**व्यवधान**)...(**व्यवधान**)... इसलिए फाली नारीमन ज्यूडिशियल एक्टिविज्म पर बात नहीं कर सकते ...(**व्यवधान**)... मेरा प्वाइंट ऑफ ऑर्डर है सर...(**व्यवधान**)...

श्री उपसभापति: बताइए...(**व्यवधान**)...अंडर व्हट रूल?

श्रीमती सुषमा स्वराज : कांफ्लिक्टिंग इंट्रस्ट वाला व्यक्ति नहीं बोल सकता ...(**व्यवधान**)...ये गोवा के केस में सुप्रीम कोर्ट के लॉयर हैं ...(**व्यवधान**)...ये ज्यूडिशियल एक्टिविज्म की बात नहीं कर सकते ...(**व्यवधान**)...मेरा प्वाइंट ऑफ ऑर्डर है ...(**व्यवधान**)...ये ज्यूडिशियल एक्टिविज्म की बात नहीं कह सकते ...(**व्यवधान**)...

SHRI NILOTPAL BASU: She is casting aspersions on the integrity ...*(Interruptions)*...

श्री उपसभापति: ज्यूडिशियल एक्टिविज्म की क्या बात है ,...(**व्यवधान**)..- He has not mentioned.....*(Interruptions)*... आप बैठिए....(**व्यवधान**)...It is not a motion or anything that we are discussing. It has been the tradition that whenever Members want to raise some issues, they give a letter and the Chair, after considering it, permit them to raise the issues. Whether it will be discussed or not is a different matter; it is under consideration now ...*(Interruptions)*... I have not listened ...*(Interruptions)*... I have allowed ...*(Interruptions)*... Mr. Nariman ...*(Interruptions)*... आप बताइए ...(**व्यवधान**)... Let him speak. I do not know what he is going to say ...*(Interruptions)*... He has not mentioned anything ...*(Interruptions)*...

श्रीमती सुषमा स्वराज : सर, नेता विपक्ष बोल रहे थे, उस समय भी नोटिस दिया था... (**व्यवधान**)...लेकिन इन्होंने नहीं देने दिया..(**व्यवधान**)...

श्री उपसभापति: आज तो नहीं दिया...(**व्यवधान**)...

श्रीमती सुषमा स्वराज : आज नहीं, उस दिन दिया था ...(**व्यवधान**)...कल इन्होंने दिया...(**व्यवधान**)...परसों इन्होंने दिया...(**व्यवधान**)...

श्री उपसभापति: आप नहीं कह सकते...(**व्यवधान**)...

श्रीमती सुषमा स्वराज : हर दिन का देना पड़ेगा...(व्यवधान)...ऐसे नहीं बोलने देंगे ... ऐसे नहीं बोलने देंगे...(व्यवधान)...

SHRI FALI S. NARIMAN : I yield to Mrs. Sushma Swaraj ...*(Interruptions)*... I yield to the hon. Member Mrs. Sushma Swaraj ...*(Interruptions)*... Just listen to what I want to say ...*(Interruptions)*... I yield to Mrs. Sushma Swaraj, the hon. Member, and do not wish to make any statement here at all.

SHRIMATI SUSHMA SWARAJ : Thank you very much ...*(Interruptions)*...

SHRI DIPANKAR MUKHERJEE (West Bengal) : Sir, this is a bad precedence ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN : But he is not willing to talk, I cannot do anything ...*(Interruptions)*...

SHRI DIPANKAR MUKHERJEE : Sir, he has been pressurised ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN : It is left to him. I have permitted him, but he is not willing to talk; on my part, I have permitted, but he does not want to speak. I cannot blame anybody ...*(Interruptions)*...

श्री दीपांकर मुखर्जी : सच्चाई नहीं सुनना चाहते...(व्यवधान)...सच्चाई सुनने से डरते हैं...(व्यवधान)...

MR. DEPUTY CHAIRMAN : The question was raised ...*(Interruptions)*...

SHRI ANAND SHARMA (Himachal Pradesh) : Sir,I am on a point of order. ...*(Interruptions)*...

SHRI VIJAY J. DARDA (Maharashtra) : Sir,he is challenging your authoirty. ...*(Interruptions)*...

SHRIMATI AMBIKA SONI (Punjab) : Sir, when the hon. Member of this House wants to mention something, how can any other Member threaten that Member not to mention that thing? ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN : I have permitted Mr. Nariman to speak. If he has not chosen to speak, what can I do ? ...*(Interruptions)*...

SHRIMATI AMBIKA SONI: You should provide protection to him. *(Interruptions)*

MR. DEPUTY CHAIRMAN : No, no. He has all the protection. I am allowing him to speak. ...*(Interruptions)*...

SHRI DIPANKAR MUKHERJEE : He has not been allowed to speak. Before Mr. Nariman could speak,she started casting aspersion on him. ...*(Interruptions)*... Should we allow this thing to happen in our House? ...*(Interruptions)*...

श्री संतोष बागड़ोदिया (राजस्थान): एक भले आदमी को जबरदस्ती बिठा दिया ...(व्यवधान)...

MR. DEPUTY CHAIRMAN : What do you want?

SOME HON.MEMBERS : We want Mr. Nariman to speak. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN : Let him speak. I have already permitted him to speak. ...*(Interruptions)*...

SHRIMATI SUSHMA SWARAJ : Sir,I am on a point of order. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN : I cannot hear anything. ...*(Interruptions)*...

SHRI VIKRAM VERMA (Madhya Pradesh): Sir, you have already given a ruling. आपने एक व्यवस्था दे दी है, उसके खिलाफ एक मंत्री खड़े होकर बोल रहे हैं ...(व्यवधान)...

SHRI JIBON ROY (West Bengal) : He is a Member of this House. ...*(Interruptions)*...

श्री नीलोत्पल बसु : आपने सवाल उठाकर उनको बोलने नहीं दिया। यह लोकतंत्र का तरीका नहीं है..(व्यवधान)...क्या बोल रहे हैं आप? आप दूसरे लोगों को सुनना नहीं चाहते हैं ...(व्यवधान)...वे इंडिपेंडेंट मेंबर हैं।

MR. DEPUTY CHAIRMAN : Please sit down. Whenever a Member wants to speak or wants to raise some important issue, it is the convention of this House that a notice is given by that Member. The Member comes and informs that the matter is urgent one. The Chair, after considering it, permits the Member. Shir Nariman has said that he wanted to raise some

issue. Suddenly, you have said that he is a lawyer somewhere, and all that. ...*(Interruptions)*... He has given the letter, and I have, in my wisdom, permitted him. ...*(Interruptions)*...Mr. Punj, you are a senior Member. Let us conduct the proceedings of the House in an orderly manner. Let us not get provoked. After all, this is Parliament.Let us not get provoked. By getting provoked, we do not get anything. उन्होंने मुझे नोटिस दिया है, मैंने उनको परमिट किया है। I have not heard him what exactly he is going to say. ...*(Interruptions)*...

श्रीमती सुषमा स्वराज : उन्होंने कहा "judicial activism" उन्होंने बोला...(व्यवधान)...

श्री उपसभापतिः मैं बोल रहा हूं कि मैंने नहीं सुना...(व्यवधान)...

श्रीमती सुषमा स्वराज : आपने नहीं सुना, लेकिन उन्होंने बोला...(व्यवधान)...

MR. DEPUTY CHAIRMAN : Let the Chair react, not the Members. ...*(Interruptions)*...

SHRI M. VENKAIAH NAIDU (Karnataka) : This is over. He does not want to make a statement. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN : Just because of the word "judicial activism", should I stop him? Judicial activism has been discussed by us in this House. This word has been used umpteen times, and just because of the word judicial activism, the Chair cannot stop the Member from raising the point ...*(Interruptions)*...

SHRIMATI SUSHMA SWARAJ : Sir, I may be permitted to raise a very valid point of order.

श्री उपसभापतिः मैं सुनूंगा आपका प्वाइंट ऑफ ऑर्डर, I am going to listen to your point of order. I have all the patience to listen to all the Members. I am going to listen to you. I have the patience to listen to all the Members. I will try to do what is expected of the Chair to do.

SHRI M. VENKAIAH NAIDU: Can anybody force a Member to make a statement?

MR. DEPUTY CHAIRMAN : Nobody can force. That is exactly the point. ...*(Interruptions)*... That is exactly the point raised by some Members from the other side. Can anybody force the Member to sit down? ...*(Interruptions)*...

SHRI DIPANKAR MUKHERJEE: It was a point of order. ...*(Interruptions)*...

SHRI M.VENKAIAH NAIDU: Can anybody force the Member to make a statement? ...*(Interruptions)*... Sir,we have the highest regard for him....*(Interruptions)*...

MR. DEPUTY CHAIRMAN: You are right. That is why one of the hon. Members said that he was asked to stop making a statement. I wanted to know.....*(Interruptions)*... I only said, "I have permitted him. If the Member has chosen not to speak, the Chair can't help." .....*(Interruptions)*... Mr. Bagrodia .....*(Interruptions)*... यह परम्परा भी नहीं है, इसमें थ्रेटेन करने का सवाल नहीं है।

SHRI DIPANKAR MUKHERJEE: He was permitted to make a statement .....*(Interruptions)*... The point of order has got nothing to do but casting aspersions on his personal integrity .....*(Interruptions)*...

SHRI A. VIJAYARAGHAVAN(Kerala): Please go through the records. .....*(Interruptions)*...

MR. DEPUTY CHAIRMAN: That cannot be quoted here as an example. ...*(Interruptions)*...

SHRI M. VENKAIAH NAIDU: The other day, the Chair had permitted the Leader of the Opposition to speak, but he was not allowed. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: That cannot be cited as an example. ...*(Interruptions)*... You are right. ...*(Interruptions)*... You are right. ...*(Interruptions)*... Mr. Venkaiah Naidu, I fully agree with you that the Leader of the Opposition has to be respected; there are no two opinions about that anywhere. .....*(Interruptions)*...

SHRI M. VENKAIAH NAIDU: They have all objected. .....*(Interruptions)*... they have all objected. .....*(Interruptions)*... सर हमें पूरा करने दीजिए। The Leader of the Opposition wanted to raise some issue. .....*(Interruptions)*...

SHRI A. VIJAYARAGHAVAN: That was during the Question Hour. There was no notice given for that .....*(Interruptions)*...

THE MINISTER OF STATE OF THE MINISTRY OF SCIENCE AND TECHNOLOGY AND MINISTER OF STATE OF THE DEPARTMENT OF

OCEAN DEVELOPMENT (SHRI KAPIL SIBAL):

Sir, I have a point to make.

MR. DEPUTY CHAIRMAN: Please tell me the point. .....(*Interruptions*)... Mr. Venkaiah Naidu, let me listen to him. .....(*Interruptions*)...

SHRI KAPIL SIBAL: Only one line, Sir, my point is that you have rightly said that if the Chairman has allowed anybody to make a statement or to say something, he should be allowed. Another Member has raised a point of order. At that stage. .....(*Interruptions*)...

MR. DEPUTY CHAIRMAN: आप सुनने दीजिए। Let me listen to him. .....(*Interruptions*)...

SHRI V. NARAYANASAMY (Pondicherry): Nobody can identify; the Chair has already expressed his view. .....(*Interruptions*)...

SHRI DIPANKAR MUKHERJEE: He was not in the House when the point was raised. .....(*Interruptions*)... Sir, he was not in the House when the point was raised. How can he intervene? .....(*Interruptions*)... He was not in the House when the point was raised. .....(*Interruptions*)... Sir, Mr. Venkaiah Naidu was not in the House when the point of order was raised. .....(*Interruptions*)... He was not in the House when the point was raised. .....(*Interruptions*)... He was not in the House. .....(*Interruptions*)...

SHRI KAPIL SIBAL: Sir, I want to make a submission. .....(*Interruptions*)...

MR. DEPUTY CHAIRMAN: Mr. Kapil Sibal, what is it? .....(*Interruptions*)... Let me listen to him.....(*Interruptions*)...

SHRI V. NARAYANASAMY: You cannot raise a point of order. .....(*Interruptions*)... Let us go through the record. .....(*Interruptions*)...

MR. DEPUTY CHAIRMAN: Mr. Narayanasamy, nobody will be able to hear what you are saying.

SHRI KAPIL SIBAL: Sir, at the moment, I do not want to make any comments. I want to say the following. Mr. Nariman wanted to speak on a subject, and you allowed him. Before he could actually make his point of view,my good colleague, Sushmaji, got up and made a statement that Mr. Nariman. .....(*Interruptions*)... is a lawyer in a Goa proceeding.

.....(*Interruptions*)... One second. Thereby, casting aspersions on his personal integrity. .....(*Interruptions*)... Thereby, casting aspersions on his personal integrity. .....(*Interruptions*)... Thereby, once an hon. Member casts aspersions on the personal integrity of another Member, naturally that Member will say 'I do not want to speak'! Therefore, this is a classic case. .....(*Interruptions*)... Therefore, this is a classic case of misusing the privilege of the Member of this House. Casting aspersions on an hon. Member of this House and then. .....(*Interruptions*)...

SHRIMATI SUSHMA SWARAJ: Sir, this is not proper .....(*Interruptions*)...

श्री एम॰ वेंकैया नायडु: इन्होंने देखा नहीं। ....(*Interruptions*)...

MR. DEPUTY CHAIRMAN: Mr. Narayanasamy, sit down. .....(*Interruptions*)... Mr. Kapil Sibal, I have heard you. .....(*Interruptions*)... I have heard you .....(*Interruptions*)... Mr. Nariman, would you like to speak?

SHRI FALI S. NARIMAN: Yes, Sir. Just one sentence. .....(*Interruptions*)...

MR. DEPUTY CHAIRMAN: I have permitted you, Mr. Nariman. .....(*Interruptions*)... You go ahead. .....(*Interruptions*)... You go ahead. .....(*Interruptions*)... आप बोलिए। .....(*Interruptions*)...

DR. (SHRIMATI) NAJMAA. HEPTULLA (Rajasthan): Sir, it is a question of .....(*Interruptions*)... Let me say something. .....(*Interruptions*)...

SHRI FALI S. NARIMAN: Just one sentence.

MR. DEPUTY CHAIRMAN: Mr. Nariman, you go ahead. .....(*Interruptions*)... You go ahead. .....(*Interruptions*)... I have permitted Mr. Nariman and nobody else.

SHRI FALI S. NARIMAN: Sir, I am very much obliged. .....(*Interruptions*)...

DR. (SHRIMATI) NAJMA A.HEPTULLA: Sir, there is a ruling of the Chairperson. .....(*Interruptions*)... You are misquoting the ruling. .....(*Interruptions*)...

MR. DEPUTY CHAIRMAN: No, please .....(*Interruptions*)... You had been the Deputy Chairman of the House. .....(*Interruptions*)... Please don't cast aspersions. .....(*Interruptions*)...

SHRI FALI S. NARIMAN. Sir, if the hon. Member thinks that my opinions on public matters are governed by those for whom I had appeared or had not appeared, then, I am afraid, her Government picked a wrong man and

nominated a wrong man as Member of this House. .....*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Mr. Suresh Pachouri, do you want to say something? .....*(Interruptions)*... Mr. Venkaiah Naidu, please sit down. .....*(Interruptions)*...

DR. (SHRIMATI) NAJMA A. HEPTULLA: Mr. Deputy Chairman, with your permission, I would like to mention in this House that when Mr. Jethmalani was speaking on Harshad Mehta's case, he was a retainer. .....*(Interruptions)*... Please listen. .....*(Interruptions)*... Please have patience. .....*(Interruptions)*... Just a minute. .....*(Interruptions)*... Just a minute .....*(Interruptions)*...

MR. DEPUTY CHAIRMAN: No, no. Now, I have permitted her. .....*(Interruptions)*... Please sit down. .....*(Interruptions)*... Let me listen to her. .....*(Interruptions)*... Mr. Vayalar Ravi, please sit down .....*(Interruptions)*... I have permitted her. .....*(Interruptions)*...

DR. (SHRIMATI) NAJMA A. HEPTULLA: There was a ruling which I gave from the Chair. It was raised by Mr. Ahluwalia, who was then a Member of the Congress Party. He raised the issue. .....*(Interruptions)*...

SHRI R.K. DHAWAN (Bihar): So, were you. .....*(Interruptions)*...

DR. (SHRIMATI) NAJMA A. HEPTULLA: He raised the issue that, as Mr. Jethmalani was the lawyer, retainer, for Harshad Mehta – it is part of the record he should not. .....*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Please sit down. .....*(Interruptions)*... Please sit down. .....*(Interruptions)*... Mr. Vayalar Ravi, please sit down. .....*(Interruptions)*... Mr. Soz, please sit down. .....*(Interruptions)*...

DR. (SHRIMATI) NAJMA A. HEPTULLA: Mr. Soz, you were a Member of this House then. .....*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Now, the hon. Member has questioned my ruling. She is citing some precedents. I am listening to her and I will answer. .....*(Interruptions)*...

DR. (SHRIMATI) NAJMA A. HEPTULLA: Thank you very much, Sir. The ruling was this. They asked me: Can Mr. Jethmalani.....*(Interruptions)*.....

SHRI NILOTPAL BASU: What is the ruling? .....*(Interruptions)*... That is what you have to say. .....*(Interruptions)*...

DR. (SHRIMATI) NAJMA A. HEPTULLA: Please have patience. .....*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Mr. Nilotpal Basu, please sit down. .....*(Interruptions)*... Just one minute. .....*(Interruptions)*... Tell me in brief. .....*(Interruptions)*...

SHRI NILOTPAL BASU: What was the ruling? .....*(Interruptions)*... She can't go on like this. .....*(Interruptions)*... Sir, I take strong exception to this. .....*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Now, this is a different case. .....*(Interruptions)*...

DR. (SHRIMATI) NAJMA A. HEPTULLA: No, Sir.....*(Interruptions)*... You have not heard me. .....*(Interruptions)*... You have not heard me. .....*(Interruptions)*... If somebody has a personal interest, the dignity and the propriety of the House demands that the Member should not speak on the subject. .....*(Interruptions)*... That was the ruling .....*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Please, I heard it. .....*(Interruptions)*... Please sit down. .....*(Interruptions)*...

DR. (SHRIMATI) NAJMA A. HEPTULLA: The point is that the hon. Member of the Rajys Sabha, Mr. Nariman, is a lawyer in a Goa case and has some personal interest. So, he should not speak. .....*(Interruptions)*...

MR. DEPUTY CHAIRMAN: I don't agree. .....*(Interruptions)*...

DR. (SHRIMATI) NAJMA A. HEPTULLA: This was the ruling, whether you agree or you don't agree. .....*(Interruptions)*...

MR. DEPUTY CHAIRMAN: That ruling has nothing to do with this. .....*(Interruptions)*... Here, Mr. Nariman has not yet started. He has not even said on what he is going to speak. Then the hon. Member said that he was a lawyer in a Goa case and he could not raise this issue. That is the difference. There the discussion was going on. Here he has not yet started. The Chair has not listened to him at all. So, that question doesn't arise. .....*(Interruptions)*... Mr Suresh Pachouri, would you like to react. .....*(Interruptions)*...

DR. (SHRIMATI) NAJMA A. HEPTULLA: Sir, that should become part of it. .....*(Interruptions)*...

कार्मिक लोक शिकायत और पेंशन मंत्रालय में राज्य मंत्री तथा संसदीय कार्य मंत्रालय में राज्य मंत्री (श्री सुरेश पचौरी): आदरणीय उपसभापति महोदय, सम्मानित सदस्य श्री नीलोत्पल बसु जी ने सम्मानित सुप्रीम कोर्ट के निर्णय के बारे में कुछ मुद्दे उठाए हैं और उन्होंने यह मांग की है कि इस विषय पर .....(व्यवधान)..... I am speaking with his permission. *.....(Interruptions)...*

MR. DEPUTY CHAIRMAN: I have listened to you. *(Interruptions)* .... The Government is reacting. *(Interruptions)* ...

श्री सुरेश पचौरी: उन्होंने मांग की है कि इस विषय पर सभी प्रमुख राजनीतिक दलों की मीटिंग बुलायी जानी चाहिए। महोदय, मैं यह स्पष्ट करना चाहता हूं कि इस संबंध में हम सभी प्रमुख राजनीतिक दलों की मीटिंग बुलाने के लिए तैयार हैं।

श्री उपसभापति: जरा बैठिए। ....(व्यवधान)...

श्री नीलोत्पल बसु: जाइए मीटिंग में यह अलग बात है .....(व्यवधान).. मीटिंग बुलाया जाएगा अगर पसंद नहीं है .....(व्यवधान)..

श्री उपसभापति: आप बैठिए। .....(व्यवधान).. आप जरा बैठिए। प्लीज Hon. Members *....(Interruptions)* ... Please sit down. *(Interruptions)* ...

SHRI BALBIR K. PUNJ: Sir, this has not happened for the first time. In 1975...*(Interruptions)* ...

MR. DEPUTY CHAIRMAN: Keeping in view the suggestion from the Government, the dignity of Parliament and Articles 121 and 122, it is desirable to have a discussion with all party leaders and that is in the interest of preserving the dignity and honour of Parliament. I suggest from the Chair that all-party meeting should be convened. We should not discuss it on the floor of the House. It is a suggestion that all-party meeting should be convened. We should work according to Articles 121 and 122. These Articles are sacred for the nation and for the functioning of democracy. Therefore, I suggest from the Chair and request all the parties to sit together. *(Interruptions)* ...

SHRI M. VENKAIAH NAIDU: Sir, has the chair taken an initiative to call all-party meeting?

MR. DEPUTY CHAIRMAN: Yes, it should be done.

SHRI M. VENKAIAH NAIDU: The Chair or the Government?

MR. DEPUTY CHAIRMAN: The Government has suggested that a discussion should take place. ...*(Interruptions)*...

श्री एम० वेंकैया नायडु: सर यह कैसे है। चेयर भी सुओ मोटो होता है क्या ...(व्यवधान)...

श्री उपसभापति: उसमें गलती क्या हैं? I have not said anything wrong.

SHRI M.VENKAIAH NAIDU: We are not saying it. The entire country is happy about the judgement of the Supreme Court. People are happy.

MR. DEPUTY CHAIRMAN: Who is saying that we are not happy?

SHRI M. VENKAIAH NAIDU: Sir, who is calling the meeting? The Government or the Chair? *(Interruptions)*...

GOVERNMENT BILLS

The Standards of Weights and Measures (Enforcement) Amendment Bill, 2005

THE MINISTER OF AGRICULTURE AND MINISTER OF CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION (SHRI SHARAD PAWAR): Sir, I beg your leave to introduce a Bill further to amend the Standards of Weights and Measures (Enforcement) Act, 1985.

The question was put and the motion was adopted.

SHRI SHARAD PAWAR: Sir, I introduce the Bill.

The Standards of Weights and Measures (Amendment) Bill, 2005.

THE MINISTER OF AGRICULTURE AND MINISTER OF CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION (SHRI SHARAD PAWAR): Sir, I beg your leave to introduce a Bill further to amend the Standards of Weights and Measures Act, 1976.

The question was put and the motion was adopted.

SHRI SHARAD PAWAR: Sir, I introduce the Bill.